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March 18, 2024

VIA ECF

Hon. Frederic Block
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Sjunde AP-Fonden v. DePaolo, et al.*, No. 1:23-cv-01921-FB-JRC (E.D.N.Y.)

Dear Judge Block:

We represent Lead Plaintiff Sjunde AP-Fonden (“Lead Plaintiff”). We write pursuant to Your Honor’s February 9, 2024 Electronic Order and respectfully request that Lead Plaintiff be allowed an aggregate of 95 pages for its brief(s) in opposition to the individual defendants’ and KPMG’s motions to dismiss. Lead Plaintiff has reviewed Defendants’ briefing and is requesting a total number of pages for its responsive briefing that is substantially fewer than Defendants’ aggregate 167 pages of briefing spread between seven separate briefs. At this stage, Lead Plaintiff is still evaluating whether it will submit a single omnibus brief or two briefs in response to Defendants’ separate briefs. In either case, Lead Plaintiff is requesting an aggregate total of 95 pages for its opposition briefing. Lead Plaintiff has conferred with Defendants, and they consent to this request.

Further, pursuant to the Court’s December 21, 2023 Electronic Order, the Parties conferred and respectfully advise the Court that they have agreed to modify the briefing schedule as follows: Lead Plaintiff shall oppose Defendants’ motions to dismiss on or before April 19, 2024. Defendants will reply and submit the fully briefed motions for the Court’s consideration on May 24, 2024. Defendants reserve on the number of pages they will seek for their reply papers.

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We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ John Rizio-Hamilton

John Rizio-Hamilton
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Co-Lead Counsel for Lead Plaintiff

/s/ Sharan Nirmul

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cc: All counsel of record (via ECF)